

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

AUG 05 2020

David J. Bradley, Clerk

United States of America
v.
Gilberto Gonzalez-Lozano (1969/MX)

Case No.

M-20-1464-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 3, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 USC § 952

Illegal Importation of a Controlled Substance / Approximately 365 Kilograms
of Methamphetamine, a Schedule II Controlled Substance.

21 USC § 963

Conspiracy to Import a Controlled Substance / Approximately 365 Kilograms
of Methamphetamine, a Schedule II Controlled Substance.

This criminal complaint is based on these facts:

See Attachment "A"

☒ Continued on the attached sheet.

Complaint authorized by: AUSA Roberto Lopez

Submitted by reliable electronic means, sworn to
and attested to telephonically per Fed. R. Cr. 4.1,
and probable cause found on:

Date:

8/5/2020 @ 7:26 AM

City and state:

McAllen, Texas

/s/ Brett Halleman

Complainant's signature

Brett Halleman, HSI Special Agent

Printed name and title

Judge's signature

U.S. Magistrate Judge J. Scott Hacker

Printed name and title

Attachment "A"

I, Brett Halleman, am a Special Agent of the United States Homeland Security Investigations (HSI) and have knowledge of the following facts. The facts related in this attachment do not reflect the totality of information known to me or other agents/officers, merely the amount needed to establish probable cause. I do not rely upon facts not set forth herein in reaching my conclusion that a complaint should be issued, nor do I request that this Court rely upon any facts not set forth herein in reviewing this attachment in support of the complaint.

1. On August 3, 2020, Homeland Security Investigations in McAllen, Texas, (HSI McAllen) received a request for investigative assistance from the U.S. Customs and Border Protection (CBP) Office of Field Operations at the Pharr Port of Entry (POE) in Pharr, Texas. CBP Officers (CBPOs) detained Gilberto Gonzalez-Lozano (hereinafter GONZALEZ), a citizen of Mexico and B1/B2 visa holder, while attempting to enter the U.S. with approximately 365 kilograms (kg) of methamphetamine concealed within walls of the trailer unit which he was pulling.
2. During primary inbound inspection, CBP Officers (CBPOs) obtained a negative written declaration for fruits, food, alcohol, tobacco, drugs, weapons and currency over \$10,000.00. GONZALEZ was driving a tractor truck with attached trailer with a commodity of produce. CBPOs referred GONZALEZ and the tractor trailer for a secondary inspection.
3. During secondary inspection, the tractor-trailer was sent for a non-intrusive X-ray examination, where anomalies were observed in the walls of the trailer.
4. A physical search of the trailer discovered an aftermarket constructed concealed compartment in both side walls of the trailer. Inside the compartments, 1,561 cellophane wrapped packages were discovered. CBPOs field tested the crystal substance inside the packages, which was presumptive positive for the characteristics of methamphetamine. The packages of methamphetamine weighed approximately 365 kilograms.
5. Homeland Security Investigations (HSI), Special Agents (SA) responded to the Pharr POE to assist in the investigation. The HSI SAs and a CBPO interviewed GONZALEZ who denied knowledge of the methamphetamine concealed within the trailer. During the interview, GONZALEZ provided inconsistent and illogical statements. GONZALEZ admitted to deleting messages from his cellular telephone, falsifying his logbook and obtaining a fraudulent FMCSA inspection sticker that day. Information observed in GONZALEZ's cellular telephone contradicted GONZALEZ's statements.